

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Anna Budde on March 31, 2008.

The application has been amended as follows:

In Claim 1, at the end of line 4, the term "strokes." has been amended to read:
"strokes; and wherein the coating is prepared from a coating material comprising an aqueous dispersion with a pH of from 2 to 7 comprising:
(A) at least one swellable polymer and/or oligomer containing at least one functional group that is at least one of an anionic functional group, a potentially anionic functional group, and/or a nonionic hydrophilic functional group,
(B) surface-modified, cationically stabilized inorganic nanoparticles of at least one kind, and
(C) at least one amphiphile."

Claim 13 has been cancelled.

In Claim 14, line 1, "claim 13" has been changed to "claim 1".

In Claim 15, line 1, "claim 13" has been changed to "claim 1".

In Claim 16, line 1, "claim 13" has been changed to "claim 1".

In Claim 17, line 1, "claim 13" has been changed to "claim 1".

In Claim 18, line 1, "claim 13" has been changed to "claim 1".

In Claim 19, at the end of line 6, the term "strokes." has been amended to read:

“strokes; and wherein the coating material comprises an aqueous dispersion with a pH of from 2 to 7 comprising:

- (A) at least one swellable polymer and/or oligomer containing at least one functional group that is at least one of an anionic functional group, a potentially anionic functional group, and/or a nonionic hydrophilic functional group,
- (B) surface-modified, cationically stabilized inorganic nanoparticles of at least one kind, and
- (C) at least one amphiphile.”

Claim 23 has been cancelled.

2. The following is an examiner’s statement of reasons for allowance: the closest prior art WO 03 016411A teaches a thermally curable, clear coating material, a coated substrate formed using the material and a method of producing the coated substrate; wherein the coating material comprises a swellable binder, surface-modified inorganic nanoparticles and other components that may be amphiphilic, but does not teach or render obvious that the coating has a relative elastic resilience and a scratch resistance as instantly claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R. Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 10:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Monique R Jackson/
Primary Examiner, Art Unit 1794
April 13, 2008